

UNITED STATES DISTRICT COURT
District of New Jersey

CHAMBERS OF
JOSE L. LINARES
JUDGE

MARTIN LUTHER KING JR.
FEDERAL BUILDING & U.S. COURTHOUSE
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P.O. Box 999
Newark, NJ 07101-0999
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June 13, 2011

Honorable Margaret Mary McVeigh, J.S.C.
Superior Court of New Jersey, Passaic County
Presiding Judge, Chancery Division
77 Hamilton Street
Paterson, NJ 07505
Via facsimile (973) 247-8172

Re: **GMAC Mortgage, LLC v. Karen and Ariel Barel**
Civil Action No.: 11-3329 (JLL)

Dear Judge McVeigh:

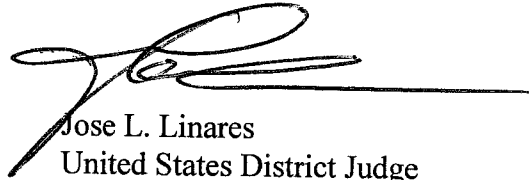
Please accept this letter as a follow up to our telephone conversation from this morning.

This matter was removed to this Court by way of a Notice of Removal filed by Defendants Karen and Ariel Barel on June 9, 2011. On June 10, 2011, this Court received a telephone call from Frederick Gerson, Esq. of the firm of Feitlin, Youngman, Karas & Gerson, LLC, representing a third-party defendant in this matter. Because Defendants' Notice of Removal had not yet been docketed on this Court's electronic docket, the Court granted Mr. Gerson permission to submit a letter to the Court via facsimile with a copy to all parties. My staff made clear that any letter to the Court must be copied to all parties. Mr. Gerson's June 10, 2011 letter, in fact, indicates that a copy was sent, also via facsimile, to Defendants, Karen and Ariel Barel, proceeding *pro se* in this matter. Mr. Gerson's letter stated that it was his position that Defendants' removal was improper as untimely and asked whether a formal motion to remand would be necessary.

After reviewing the contents of Defendants' Notice of Removal, this Court, on its own initiative, entered an Order dated June 10, 2011 remanding the matter to state Court on the basis that it was filed well beyond thirty (30) days from the date on which Defendants were admittedly served with a copy of the summons and complaint in the state court action, thereby rendering their Notice of Removal untimely pursuant to 28 U.S.C. § 1446(b).

The Court has, today, received a letter from Defendant Ariel Barel seeking reconsideration of this Court's June 10, 2011 Order. Mr. Barel's June 13, 2011 letter presents no controlling decision of law or dispositive factual matter which was overlooked by this Court in entering its June 10, 2011 Order. Therefore, the Court will stand by its June 10, 2011 Order and take no further action with respect to this matter.

Very truly yours,



Jose L. Linares
United States District Judge

JLL/mmg